



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

COPY MAILED

DEC 31 2007

OFFICE OF PETITIONS

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, IL 60610

In re Patent No. 7,071,937	:
Issued: June 4, 2006	: DECISION REGARDING PTA and
Application No. 09/584,025	: NOTICE OF INTENT TO ISSUE
Filed: May 30, 2000	: CERTIFICATE OF CORRECTION
Atty. Dkt. No.: 7871/4	:

This decision is in response to "REQUEST FOR REVIEW OF PATENT TERM ADJUSTMENT," filed July 31, 2006. This matter is being treated as an application for patent term adjustment under 37 CFR 1.705(d).

The above-identified application matured into U.S. Patent No. 7,071,937 on June 4, 2006. The patent issued with a PTA of 930 days. Patentees suggest that the adjustment may extend the term of the patent by too many days.

However, a review of the calculation of adjustment reveals that the patent is entitled to an adjustment of 994 days.

An overall adjustment of 1131 days can be attributed to the Office in accordance with 37 CFR 1.702(a) and 1.702(b).

An adjustment of 409 days can be attributed to the Office in accordance with 37 CFR 1.702(a)(1) in connection with the mailing of the non-final Office action on September 12, 2002.

A further adjustment of 66 days can be attributed to the Office in accordance with 37 CFR 1.702(a)(2) in connection with the mailing of the final Office action on January 8, 2004.

A further adjustment of 355 days can be attributed to the Office in accordance with 37 CFR 1.702(a)(4) in connection with the issuance of the patent more than four months after receipt of the issue fee payment.

A further adjustment of 237 days can be attributed to the Office in accordance with 37 CFR 1.702(b) for failure to issue the patent within three years of the date upon which the application was filed. The overall delay under 37 CFR 1.702(b) is 1131 days. Accordingly, the amount of PTA delay is 1131 days.

The adjustment of 1131 days is properly reduced a total of 137 days for failure to engage in reasonable efforts to conclude prosecution.

The adjustment is properly reduced 36 days in accordance with 37 CFR 1.704(b) in connection with the response filed January 17, 2003.

The adjustment is further reduced 37 days in accordance with 37 CFR 1.704(b) in connection with the response filed July 3, 2003.

The adjustment is further reduced 60 days in accordance with 37 CFR 1.704(b) in connection with the response filed June 7, 2004.

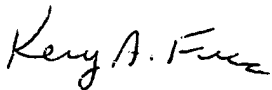
Accordingly, the patent is entitled to an adjustment of 994 days (adjustments of 1131 days less reductions of 137 days).

The required application fee of \$200.00 has been charged to patentees' deposit account.

This application file will be forwarded to the Certificate of Corrections branch for issuance of a certificate of correction to indicate that the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 994 days.

Applicants are given 30 days to file a request for reconsideration of the instant decision. No additional time will be granted under 37 CFR 1.136.

Telephone inquiries specific to this matter should be directed to Petitions Attorney Alesia M. Brown at (571) 272-3205.



Kery Fries
Senior Legal Advisor
Office of Patent Legal Administration
Office of Deputy Commissioner
for Patent Examination Policy

CC: Draft Certificate of Correction

UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF CORRECTION

PATENT : 7,071,937 B2

DATED : June 4, 2006

INVENTOR(S) : Collodi

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by 930 days

Delete the phrase "by 900 days" and insert – by 994 days--

Day : Friday
Date: 12/28/2007**PALM INTRANET**

Time: 13:06:29

Calculations for Application: 09/584025

Application Filing Date:	05/30/2000	PTO Delay (PTO):	1131
Issue Date of Patent:	07/04/2006	Three Years:	0
Pre-Issue Petitions:	0	Applicant Delay (APPL):	137
Post-Issue Petitions:	0	Total (days):	994
PTO Delay Adjustment:	0		

File Contents History

Number	Date	Contents Description	PTO	APPL	START
67	12/28/2007	ADJUSTMENT OF PTA CALCULATION BY PTO	64		
63.5	06/14/2006	PTA 36 MONTHS	237		
63	07/04/2006	PATENT ISSUE DATE USED IN PTA CALCULATION	355		57
62	06/13/2006	DISPATCH TO FDC			
61	06/13/2006	APPLICATION IS CONSIDERED READY FOR ISSUE			
59	05/04/2006	RECEIPT INTO PUBS			
58	03/14/2005	ISSUE FEE PAYMENT VERIFIED			
57	03/14/2005	ISSUE FEE PAYMENT VERIFIED		4	43
56	05/01/2006	RECEIPT INTO PUBS			
55	04/28/2006	RECEIPT INTO PUBS			
54	04/24/2006	MAIL-RECORD A PETITION DECISION OF GRANTED FOR PATENT TERM ADJUSTMENT AFTER ALLOWANCE			
54	04/24/2006	MAIL-RECORD A PETITION DECISION OF GRANTED FOR PATENT TERM ADJUSTMENT AFTER ALLOWANCE			
53	03/21/2006	CASE DOCKETED TO EXAMINER IN GAU			
52	01/23/2006	CASE DOCKETED TO EXAMINER IN GAU			
50	10/04/2005	ADJUSTMENT OF PTA CALCULATION BY PTO			
50	10/04/2005	ADJUSTMENT OF PTA CALCULATION BY PTO	30		
49	10/04/2005	ADJUSTMENT OF PTA CALCULATION BY PTO			
49	10/04/2005	ADJUSTMENT OF PTA CALCULATION BY PTO		94	
48	03/14/2005	PETITION ENTERED			
47	03/14/2005	ISSUE FEE PAYMENT RECEIVED			
46	02/15/2005	RECEIPT INTO PUBS			
45	12/17/2004	EXPORT TO INITIAL DATA CAPTURE			

44	12/29/2004	WORKFLOW - FILE SENT TO CONTRACTOR			
43	12/10/2004	MAIL NOTICE OF ALLOWANCE			
42	12/10/2004	MAIL FORMAL DRAWINGS REQUIRED	64		27
41	12/08/2004	ISSUE REVISION COMPLETED			
40	12/08/2004	FORMAL DRAWINGS REQUIRED			
39	12/08/2004	NOTICE OF ALLOWANCE DATA VERIFICATION COMPLETED			
38	12/08/2004	NOTICE OF ALLOWABILITY			
37	10/24/2004	DATE FORWARDED TO EXAMINER			
36	09/09/2004	SUPPLEMENTAL RESPONSE			
35	01/17/2003	REFERENCE CAPTURE ON IDS			
34	09/09/2004	WORKFLOW INCOMING AMENDMENT IFW			
33	08/07/2004	IFW TSS PROCESSING BY TECH CENTER COMPLETE			
32	06/07/2004	REQUEST FOR EXTENSION OF TIME - GRANTED			
31	08/04/2004	MAIL ADVISORY ACTION (PTOL - 303)			
30	08/02/2004	ADVISORY ACTION (PTOL-303)			
29	06/07/2004	NOTICE OF APPEAL FILED			
28	07/30/2004	DATE FORWARDED TO EXAMINER			
27	06/07/2004	AMENDMENT AFTER FINAL REJECTION		60	23
26	06/07/2004	REQUEST FOR EXTENSION OF TIME - GRANTED			
25	06/07/2004	WORKFLOW INCOMING AMENDMENT IFW			
24	03/01/2004	NEW OR ADDITIONAL DRAWING FILED			
23	01/08/2004	MAIL FINAL REJECTION (PTOL - 326)	66		20
22	01/07/2004	FINAL REJECTION			
21	10/02/2003	DATE FORWARDED TO EXAMINER			
20	07/03/2003	RESPONSE AFTER NON-FINAL ACTION		37	17
18	07/03/2003	REQUEST FOR EXTENSION OF TIME - GRANTED			
17	02/27/2003	MAIL NON-FINAL REJECTION			
16	02/24/2003	NON-FINAL REJECTION			
15	01/24/2003	DATE FORWARDED TO EXAMINER			
14	01/17/2003	RESPONSE AFTER NON-FINAL ACTION		36	10
13	01/17/2003	REQUEST FOR EXTENSION OF TIME - GRANTED			
11	01/17/2003	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			

10	09/12/2002	MAIL NON-FINAL REJECTION	409		-1
9	09/09/2002	NON-FINAL REJECTION			
8	03/22/2002	CASE DOCKETED TO EXAMINER IN GAU			
7	10/23/2000	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
6	10/24/2000	CASE DOCKETED TO EXAMINER IN GAU			
5	09/07/2000	TRANSFER INQUIRY			
4	08/15/2000	APPLICATION DISPATCHED FROM OIPE			
3	07/25/2000	CORRESPONDENCE ADDRESS CHANGE			
2	06/19/2000	IFW SCAN & PACR AUTO SECURITY REVIEW			
1	05/30/2000	INITIAL EXAM TEAM NN			

Search Another: Application#

EXPLANATION OF PTA CALCULATION

EXPLANATION OF PTE CALCULATION

To go back, right click here and select Back. To go forward, right click here and select Forward. To refresh, right click here and select Refresh.

Back to [OASIS](#) | [Home page](#)